

REMARKS

The application has been amended to place it in condition for allowance at the time of the next Official Action.

Claims 8-13 were previously pending in this application. Claims 14-15 have been added. Therefore, claims 8-15 are presented for consideration.

Applicants note with appreciation the indication that claims 9-12 are allowable.

Claims 8 and 13 are amended in a manner that is believed to clarify the "off levels" and currently recite "off pulse period" and a "level of the off pulse period" for two types of space periods, that is, "equal to or smaller than a predetermined length" and "larger than the predetermined length" consistent with the disclosure on page 16, lines 18-33.

The above changes are believed to address the 35 USC 112, second paragraph rejection and withdrawal of the same is respectfully requested.

Claims 8 and 13 were rejected under 35 USC 102(b) as being anticipated by SASAKI et al. U.S. Publication No. 2003/0048724. That rejection is respectfully traversed.

Independent claims 8 and 13 are amended and recite that:

(A) when the space period is equal to or smaller than a predetermined length, such space period includes an off pulse

period during its entire period and the off pulse period has a level lower than a bias power level, and

(B) when the space period is larger than the predetermined length, such space period includes the off pulse period at its back end portion, which is positioned immediately before the mark period subsequent to the space period larger than the predetermined length.

SASAKI fails to disclose or suggest at least the above features (A) and (B).

Specifically, FIGS. 5 and 8 of SASAKI offered in the Official Action, fail to disclose these features. FIG. 5 shows an example of 5T space, which is a space period larger than a predetermined length. In FIG. 5, the off level period (i.e., LDoff) is provided, not at the back end portion, but at the front portion of the space period, and hence the above feature (B) is not satisfied.

FIG. 8 shows an example of 3T space, which is a space period equal to or smaller than the predetermined length. In FIG. 8, the off pulse period (i.e., LDoff) is provided only at a front part of the space period, and hence the feature (A) is not satisfied.

Based on the above, SASAKI does not disclose or suggest the features (A) and (B) required in claims 8 and 13, and therefore, all the claims are now believed to be patentable.

New claims 14 and 15 are added. Support for these claims can be found at least on page 19, lines 13-17.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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